

April 14, 2015

At a regular meeting of the Board of County Commissioner, Washington County Colorado, held at the Courthouse in Akron CO on the 14th day of April 2015, there were present:

Terry G. Hart, chairman	present
David Foy, commissioner	present
Lea Ann Laybourn, commissioner	present
Garland Wahl, clerk of the board	present
Peter 'Larry' Vana, county attorney	present

It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to approve the **Agenda with additions**. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **Schedule of Bills for the County** from the General, Road and Bridge, Health Care, TV Translator, Landfill, and Justice Center, payables for April 14, 2015 with a value of \$69,752.16. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to approve the **Schedule of Bills for the Nursing Home** for April 14, 2015 with a value of \$11,507.55. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **Schedule of Bills for Pioneer Haven** for April 14, 2015 with a value of \$2309.96. On roll call vote, all votes being yes, the motion passed.

Devon Lane, **Colorado Parks and Wildlife**, presented reports on Pheasants in Washington County and Hunter Impacts to the Economy and The economic Contributions of Outdoor Recreation in Colorado: A regional and county-level analysis. Lane reported she is moving and will be leaving the area.

Chris Packer, County Administrator Report:

- Tractor Pull contract needs to be signed.

Resolution 65-2015 It was moved by Commissioner Laybourn and duly seconded by commissioner Foy to authorize the Chairman of the Board to execute the following agreement, on behalf of the Washington County Fair Board, between the **National Sled Pullers Association LLC** and Washington County relating to an event to be scheduled on July 30, 2015 during the course of the annual **Eastern Colorado Roundup** in an amount not to exceed \$9000.00 pursuant to the terms as contained therein. The initial deposit of \$1500.00 shall be forwarded to reserve the date and the remainder will be tendered at a later date. On roll call vote, all votes being yes, the resolution was adopted.

- A bill was received from Michael Ellsberry, County Engineer for his work at the Messex Railroad Crossing. We can pay it out of the attorney professional services \$632.25

- I was asked if permission could be granted to Dani Thompson, Nursing Home accounting person, to view the bank accounts online to better track deposits etc. Commissioner said he would have to ask the County Treasurer for permission.
- I had a pre-bid meeting with Spelts Roofing Co., Weather Craft and a company out of Limon about the hail damage ad that was put in the newspapers.
- The Town of Akron now requires building permits to do roofs. I explained to those at the meeting they needed to include in bid their disposal of shingles and cost to take them to the landfill. I told them they will have to sign an Independent Contractor Agreement. I also explained that if they use a sub-contractor they will need to talk to us first. Bids are to be back to us by April 24, 2015.
- I discussed with the County Attorney that the April 28th meeting will not require a hearing because it is not a budget adjustment – it is an abatement. I'll talk to the Assessor about the abatement.
- We need to approve the Assignment Assumption, & Consent of Agreement for Project Management Services from Jensen Construction to JPL Development LLC.

Resolution 66-2015 It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to authorize the Chairman of the Board to execute the **Assignment Assumption, & Consent of Agreement for Project Management Services by and between JPL Development, LLC** (as assignee) and Washington County relating to construction management services in relation to development and construction of the new Nursing Home Facility. Although the assignment transfers responsibility to a different LLC there are no other changes to the original agreement and the consultant remains the same. The amendment has been approved as to form by the County Attorney and is being executed pursuant to the terms as contained therein. On roll call vote, all votes being yes, the Resolution was adopted.

- I have a Capital Purchase Request from Justice Center to replace a PC Board for the fire pump at a cost of \$3700.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **Request for Capital Purchase** for the Justice Center to replace a PC Board that controls the pump for the fire suppression to work properly at the **Justice Center** at a cost up to \$3700. On roll call vote, all votes being yes, the motion passed.

- The County Attorney Larry Vana will bring in a resolution about the proposal letter from Chase New Markets Corp. relating to the New Market Tax Credits.
- Has the County Attorney looked at the Postage Machine contracts?
- I finished the Local Highway finance report and filed it with CDOT (Federal Highway Administration (FHWA) Annual Report) Federal Highway Admin.
- I'm working on the Cost report from Clinic
- Tom Hottinger's son got an invitation to go to Australia. They are asking for donations to help support the trip. In the past the kids worked for the county in order to get the donations.

- Do we have a plan for the additional RV spots west of the horse barn? Do we have an estimate for the cost to put in electricity?
- What is our road policy about a two track road? One property owner has put posts up to prevent travel on the road. The county attorney can write a letter to Barton.
- The state boiler inspector may not have known about the leak in the boiler at the Nursing Home. The day he inspected the boilers Matt Green was home sick. It's not leaking water but is leaking steam. The county attorney suggested getting Wern Air on the phone and see what we are looking at to get it fixed and when. Commissioners suggested the facility operations manager, Jim McCracken, be in on the call also. Packer suggested that the Nursing Home Administrator handle it with Wern Air.

Larry Vana, County Attorney Report:

- The Railroad Crossing at Highway 34 and County Road JJ has been approved by the Public Utilities Commission (PUC) as a public crossing. The County will pay for the crossing signage and pictures will have to be taken of the signage installed at the site and sent to the PUC by October 9, 2015.
- We need to address how we handle surplus equipment. The sheriff sold two vans.

Debi Cooper, county treasurer, looked at **postage machines from Pitney Bowes** last week. The county can purchase a new machine for \$5835 with an annual maintenance for \$578 for four years and meter rental for \$99.00 or \$297.00 per quarter or lease it for \$282.81 per month for 48 months.

Resolution 67-2015 It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to authorize the Chairman of the Board to execute the Term Rental Installment Option A Agreement by and between **Pitney Bowes** and Washington County relating to the provision of **postage meter services** for the Washington County Courthouse for a monthly service subscription fee of \$282.81 based upon a 48 month initial lease pursuant to the terms as contained therein. The chairman if also authorized to execute the appropriate IRS form (8038-GC) relating to tax exempt status of Washington County in relation to the aforementioned lease. On roll call vote, all votes being yes, the motion passed.

Val Foutz, Zoning Official presentation:

Present at the **Elected Officials and Department Heads meeting** were Commissioners – Terry G. Hart, Lea Ann Laybourn, David Foy; Clerk and Recorder – Garland Wahl; Treasurer – Debi Cooper; Assessor – Larry Griese; Sheriff – Jon Stivers; Under Sheriff – Ken Kimsey; Coroner – Cheryl Kraich; Ambulance Director – Tony Wells; Facility Operations Manager – Jim McCracken; County Administrator – Chris Packer; County Attorney – Larry Vana; Assistant to the Board of County Commissioners – Val Foutz; Finance Director – Donna Morris; Road and Bridge Supervisor - Steve Williams, District 3.

Wells: we are in the second round of grant requests. As of the end of June we have received 92 calls compared to 102 at this time last year. There is \$6,000,000 grant money at the state and to coincide with the study we had a few years ago I'm applying for a grant to purchase a suburban like vehicle as a first responder vehicle. That vehicle would to home with the paramedic. I've also applied for a grant from Tablesetters to get a new resuscitate mannequin.

McCracken: we are spraying for weeds and working on the phone lines at the fairgrounds. All the elevator inspections are complete. Wern Air will be here Thursday or Friday to look at boilers at the Nursing Home. Air is blowing out of one boiler but it is running. The state boiler inspector knew it had a leak but approved it anyway.

Cooper: we are approaching the second deadline for paying the taxes and are 33.9% collected. I met with Pitney Bowes representative about getting a new postage machine to comply with the United States Post Office standards. I will need to send the signed contract to them today.

Morris: he (the phone representative) will be here at 6:15 a.m. to reboot the system. The phones will be out while he works on them.

Cooper: we have a remote deposit machine with the Bank of Colorado so we can make out deposits from our office. We will be getting a credit card machine for the public to use.

Vana: if taxes are paid on property that will have an abatement could the treasurer not cash the check until the property owner has been notified of the abatement.

Cooper: I can hold the check and return it to the property owner.

Packer: financing the new Nursing Home – we are working on the legal language. I held a pre-bid meeting on the hail damage with interested contractors. Bids will be opened April 28, 2015. We have all but one contract signed for the fair. Free Trash Day at the Landfill will be May 2, 2015 for citizens only. The local highway report was filed with CDOT last week. The auditors will be at the Nursing Home the last week of April. The rest of the county audit will be in May after Memorial Day.

Stivers: I hired new deputies and within a week a deputy quit and went to Morgan County so I'm down three officers again. The new control board is done. The boiler bracket was redone to move it up. PREA audit – Under Sheriff Ken Kimsey and Captain Amy Stivers are working to get the inspection done. We have 150 inmates today and working on getting more.

Laybourn: have you looked into the Model Traffic Code lately?

Stivers: the county attorney looked at the paperwork that needs to be done. It would be a revenue maker. Morgan and Sedgwick Counties have it.

Hart: what is the advantage to having it?

Stivers: the majority of the revenue stays in the county.

Vana: Sedgwick County is similar to Washington County we could check with them to see how it is working.

Griese: I signed the equation for the year and we are getting ready to send out Notices of Valuation. Residential is quiet. Agricultural land is up 20-25% - increase 10 year average - dropped off 2 years on bottom end of it.

Hart: what is the value grassland price average?

Griese: \$100 per taxable value 13% cap rate. Most states don't have a cap rate.

Morris: payroll is due next week. CCOERA representative will be here next week.

Foutz: there will be close to 39 road cuts in Road and Bridge District #3. Blue Grama has a pipeline going through. It will be late summer and early fall when they get started.

Wahl: April 8, 9, 10 Motor Vehicle and Election training was held in Sterling. Scooters now have to be licensed. Wahl said the commissioner asked about how copy paper was ordered and it was brought to their attention by the financial director that legal paper had been ordered when there appeared to plenty. Wahl explained that paper is ordered in bulk for all county departments, commissioners, clerk and recorder, assessor, treasurer, driver's license, sheriff, clinic, nursing home, etc. A pallet of standard 8.5" x 11" and a half pallet of legal 8.5" x 14" were ordered. Wahl stated it may appear to be plenty but when a department gets a pickup load it goes pretty fast.

Williams: we've been chip sealing, hauling rock and doing graveling on the roads. Blue Grama Pipeline will be boring under the county roads and not cutting the roads. We have a new maintainer being prepped in Frederick by 4 Rivers.

Laybourn: have you received any complaints about seismic tests in your area?

Williams: no.

Hart: I learned I don't fill the bill when it comes to running machinery. I went through some training with Road Supervisor Jason Lockard and holy smokes - there is a lot to learn. I have a lot of respect for those maintainer guys that have mastered operating them. How many levers are there Steve?

Williams: 12 levers and you have to be careful where to turn the blade so you don't tear tires.

Hart: getting crowns on roads takes skills also. I'm looking to hire another Road and Bridge man. We also need a carnival man, Jerry Patterson retired. The carnival is more work than I can take on by myself. Roads are a hot topic in the county right now.

Vana: the sheriff department sold a couple of vans. By statute the board of commissioners is supposed to dispose of equipment. There was nothing wrong with selling the vans we just need a procedure in place for disposing of excess equipment.

Hart: suggested we make a form for a paper trail to get rid of excess equipment. When items over a \$1000 are purchased they go through the capital purchase process so they show on a GASBE inventory for audit purposes.

Wells: what type of depreciation schedule do we have?

Foy: we are protecting departments. It should be written on an inventory that goes to the auditor every year what happened to excess equipment.

Laybourn: we are working on putting in 8 more RV spots west of the horse barn at the fairgrounds. Devan Lane, Colorado Parks and Wildlife gave us reports on Pheasants in Washington County and Hunter Impacts to the Economy and The economic Contributions of Outdoor Recreation in Colorado – very good information. We passed three Resolutions today for the purchase of a new postage machine, new tax credit for the new Nursing Home financing and dispose of excess equipment for the Sheriff. We attended the appreciation day lunch at the Arickaree School.

Vana: I received a call from Captain Peggy Willeke about a local prisoner. The Public Utilities Commission (PUC) ruled in our favor that the railroad crossing at Highway 34 and County Road JJ is now a public crossing. We are in the middle of a discussion with the PUC through the assistant county attorney Madeline Meachum about closing a railroad crossing in the Messex area.

Foy: PUC ruled in our favor that changed the railroad crossing at Hwy 34 and JJ from a private crossing to public crossing. We have to spend \$1000 for property crossing signage. We had the county engineer Michael Ellsberry look at the Messex Railroad Crossing also. BNSF Railroad wants to put a side track at the proposed closing site to accommodate 120 rail cars. BNSF will redevelop the other crossing in the area. Citizens are not in favor of the closing.

Washington-Yuma Counties Emergency Telephone Service Authority Board (9-1-1) gets a surcharge to purchase equipment. They purchased about \$700,000 worth of new consoles with the help of the Y-W Electric Association, Inc. revolving loan fund. Sheriff Stivers talked to Morgan County about handling our emergency calls. The question is if the authority board is broken up what happens to the equipment. What about liability insurance working in center and liability for the board.

There are steel posts across a section line and the question remains is it a road or is it not a road. If it shows on our HUTF Road report it is a road. People want to travel down the section line with equipment and want the steel posts taken down. If a road is built all property owners have to approve the road being built unless the parcel is landlocked.

Senior meals are served at the Akron Community and Senior Center on Tuesdays and Thursdays for \$4.00. They would like more people to attend.

I was reappointed by Governor Hickenlooper to serve two more years on the State Health and Human Services Board.

We are looking for a cost estimate not a bid for the 8 new RV spots at the fairgrounds.

Vana: HUTF funded roads everyone has the right to use them. In 1876 tire tracks down a section line could become a potential road. 1910 reconfirmed the hodge-podge road system. Section lines that are used twice a year are to serve the traveling public. Some property owners plow them up and we are asked to resolve these neighbor disputes.

McCracken: I've been hearing something about a potential walk-in freezer at the Event Center. Commissioner Hart said there is one for sale.

Report from Mike McCaleb:

- Fire season - no burning
- Stivers said he talked to McCaleb about panic buttons
- Storm spotters class was a success
- Getting a grant from 2015 homeland security to get camera for the courthouse
- Working on developing an emergency plan for all types of emergencies
- Panic buttons came from 2014 grant. The button has to be held down for 1.5 seconds to broadcast message.

Val Foutz, **Zoning Official** I need to work with the county attorney on the permits for road crossing for a pipeline that will be going across the southern part of the county. Once I have the attorney's approval I can send modifications to each permit to Ann Johnson.

I received another call from another pipeline about who maintains the border on the west line of County Road 18. I will talk to the road supervisors.

I sent 39 Road Cuts to the county engineer for his review. Commissioner Laybourn asked if the county engineer, Mike Ellsberry has gone around with road supervisor Steve Williams.

Resolution 68-2015 It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to authorize the County Administrator (on behalf of the Board) to execute the following documents on behalf of Washington County in relation to the **Nursing Home "Green House Project"** and authorize the expenditure of funds pursuant to the terms as contained therein.

1. The proposed letter from Chase New Markets Corporation relating to the New Market Tax Credits – Transaction Terms (Term Sheet) has been revised to reflect changes in the proposed financial structuring.
2. This will include other related financial documents required to complete the overall financing mechanism that may require revised figures, etc. so long as the document contents are reported to the Board.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 14th day of April 2015 by Commissioner Laybourn who moved its adoption. The motion was seconded by Commissioner Foy and on roll call vote, all votes being yes, the resolution was adopted.

Chris Packer presented **two proposals to chip seal County RR** from County Road 22 south to U.S. Highway 36:

- Foothills Paving & Maintenance 3/8" Chipseal w Fog 118,323 square yards at \$2.20 for a total of \$260,310.60
- A-One Chipseal, 2001 West 64th Lane, Denver, CO 80221, 3/8" chipseal 118,323 square yards at \$2.39 for a total of \$282,791.97

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to award the bid proposal to **Foothills Paving and Maintenance to pave County Road RR** from County Road 22 south the U.S. Highway 36 for a total amount of \$260,310.60. On roll call vote, all votes being yes, the motion passed.

Resolution 69-2015

WHEREAS, pursuant to C.R.S. 30-11-101(1)(d), the Board has the authority to do all acts in relation to property necessary to exercise the corporate and administrative powers of the County; and

WHEREAS, pursuant to C.R.S. 30-11-107 (e) the Board has the authority to manage the concerns of the county; and

WHEREAS, pursuant to C.R.S. 30-11-101(l)(i) the Board has the authority to dispose of county property by sale of said property if the Board determines it is in the best interests of the County; and

WHEREAS, based upon the aforementioned, the Board has learned that the Washington County Sheriff has determined to dispose of two 2007 Chevrolet Vans currently in service and having reviewed this matter at a regularly scheduled Board meeting held on this date had determined to take the following action.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY as follows:

1. The Board hereby recognizes the sale of two 2007 Chevrolet 15 passenger vans as reported by the Washington County Sheriff for the total amount received of \$5812.50 to wit:
 - a. VIN 1GAHG9U871177205 sold for \$2790.00
 - b. VIN 1GAGH39U071233024 sold for \$3022.50

A sales commission of \$437.50 was paid, resulting in a net of \$5812.50 and this amount was deposited with the Washington County Treasurer.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 14th day of April 2015 by Commissioner Foy who moved its adoption. The motion was seconded by Commissioner Laybourn and on roll call vote, all votes being yes, the Resolution was adopted.

Jamie Sauer, Fair Board member reported that Delta Chi Sorority wants to handle the **Mud Volleyball** Event at the fair. They would like to give donations to the county and award T-shirts to participants. They would like to add another pit. Packer stated if it is a county function on county property they would have to sign two waivers. The waivers would have to be given to the County Attorney for review. Sauer asked how to handle the pits? It was suggested that the sorority come in and talk to the Commissioners.


Jim McCracken, Facilities Operation Manager reported that **Wern Air** well be here about noon Thursday. The pipes at the Justice Center are corroded and have to be replaced. We have the water leak stopped but the air leaks on the boiler at the Nursing Home. He will look at it to see if can be sealed up. Commissioner Hart said he would be at the meeting Thursday.

Roundup Pride - County Wide is the **theme for the parade** this year. Cody Cooke and the Bijou Outlaws will open the evening entertainment. Chris Cagle will be the main show.

Commercial Driver's License (CDL) for Washington County Employees was discussed. What happens when a CDL or medical card is expired?

Commissioner Laybourn said she had a complaint about junk piling up on property on Grand Avenue that is not in the city limits. The county attorney will write a good neighbor letter.

There being no further business the meeting was adjourned.


Garland Wahl, Clerk of the Board


Terry G. Hart, Chairman Board of County Commissioners